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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland CO 80537-0599

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AUG 11 2004

OFFICE OF PETITIONS

In re Application of :
Janet Bee Yin Chua, Azlida Ahmad, Hwai :
Peng Choo, Hisham Menkara, and :
Christopher J. Summers :
Application No. 10/761,762 :
Filed: January 21, 2004 :
Attorney Docket No. 70040065-1 :
Title: DEVICE AND METHOD FOR :
EMITTING OUTPUT LIGHT USING :
GROUP IIB ELEMENT SELENIDE-BASED :
PHOSPHOR MATERIAL :

DECISION ON PETITION UNDER
37 C.F.R. §1.47(A)

This is in response to the petition under 37 C.F.R. §1.47(a)¹, filed June 29, 2004.

On January 21, 2004, the application was deposited, identifying Janet Bee Yin Chua, Azlida Ahmad, Hwai Peng Choo, Hisham Menkara, and Christopher J. Summers as joint inventors. The application was deposited with a declaration which had not been executed by any of the inventors. On April 26, 2004, a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted" (Notice) was mailed, indicating that a fully executed oath or declaration and a surcharge of \$130.00 were required. This Notice set a two-month period for reply.

¹A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

On June 29, 2004, petitioner submitted the instant petition, the associated fee, the surcharge, a copy of a letter, and a statement of facts.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR §1.47(a).

The petition is **GRANTED** and this application is hereby accorded Rule §1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 2800 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011. Please note that on approximately September 28, 2004, the Office of Petitions will relocate to the new PTO location in Alexandria. Although the mailing address will remain the same, the general phone number for the Office of Petitions which should be used for status requests will change to 571-272-3282, and the telephone number for the undersigned will change to 571-272-3225.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office